



May 10, 1995

Secretary
Federal Communications Commission
Washington, DC 20554

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Re: Comments regarding MM Docket No. 95-31

Please enter these comments for the NPRM, comments due May 10, 1995.

Enclosed is an original and two copies.

Cordially,

Tony Bono
Technical Operations Director

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BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION FCC MAIL ROOM
WASHINGTON, D.C.

In The Matter Of

Reexamination of the Comparative
Standards for New Noncommercial
Educational Applicants

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MM Docket No. 95-31

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To: The Commission

From: Tony Bono, Technical Operations Director, KSBJ, Humble, Texas

COMMENTS

Regarding the questions asked by the Federal Communications Commission in relation to NCE comparative criteria I submit the following comments. The traditional comparative criteria does have some merit in particular the coverage factor. I submit what I think are criteria which I believe should be considered, but first for discussion I submit some responses to the questions asked in this NPRM.

I do believe "time sharing" is an inadequate means of resolving a comparative situation. Listeners generally expect one station per channel and subsequently they understand and expect that to be the case as a general rule. I believe it is confusing to the listeners to time share, and furthermore applicants request the use of one particular channel and not for "part-time" usage of that channel. Therefore, the Commission should respond by awarding full use of the channel to one applicant.

Auxiliary power should not be considered as a criterion. This does not address any key issues of public interest, in my opinion. There should be, however, some method of comparative criterion, that which does weigh maximum coverage as a factor.

Concerning the APTS/NPR proposal, suggesting that preference be given to stations with a broadly representative board is unfair. If an applicant plans to operate in the best public interest of the community, whether it is one person or a group should not give preference. One individual may be able to provide a service to a community that another group cannot. That one voice could provide unique programming to a community and increase radio listening diversification.

Common ownership should not be viewed as a large negative. A group of NCE stations may be able to "pool" together to offer programming not otherwise economically feasible. Group ownership should not disadvantage applicants to a great degree.

APTS/NPR states that the FCC should examine which applicant will best integrate the station operations with its educational and cultural objectives. I believe that educational objectives are important, yet because of first amendment rights, this can be subjective. There should not be a preference of one form of education over another. Whether it is cultural, religious, historical, political, community, formal or whatever, the fact the applicant has an educational approach should be a consideration and not a determining factor. Who is to say what "type" of educational approach provides a community with another voice. It would not be in the best interest of a community to award a license to an applicant and deny others because one party proposes several types education and the other applicants proposed others. This would be a form of unfair preference regarding one type of education over another. Perhaps unique programming would be overlooked because of adherence to criteria regarding certain educational approaches as better than others. Licensee objectives are adequate enough to offer the airwaves for public use. It is the licensee's responsibility to maintain communication with the community to determine the needs of the community and ascertain how the station can help communicate those needs to the public.

Applicants should state objectives, yet there should be caution in giving unfair preference to an applicant who would serve a certain kind of educational or cultural need. The comparative criteria should give preference in some other regard. Applicants should exhibit a plan for serving the needs of the community and this should not be the basis of the comparative criteria. Technology should not be a factor inasmuch as coverage (population verses coverage).

I favor the point system as suggested by NFCB, although I suggest preference in some other areas. Here is my suggestion regarding the point system:

- Finders Preference (3 points)
- Spectrum Efficiency, Best Coverage (3 points)
- Local Advisory Board (2 points)
- Local Residence Of Any Principle (2 points)
- Broadcast Experience (2 points)
- Diversification (1 point)
- Local Program Origination (1 point)

Since the airwaves are public domain, there should be a preference for those who find a channel and maximize the potential station. A local advisory board would help, not limiting sole ownership. Diversification can be considered as long as it is not weighed as heavily as other criteria. I believe broadcast experience is important in providing listenable programming to encourage serious applicants. Local origination could be considered as to enhance meeting the needs of the local community, yet not limiting programming possibilities (economics verses local programming).

Respectfully Submitted,



Tony Bono
Technical Operations Director
KSBJ, Humble, Texas